

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, EARNEST L. GUNN AND WIFE, MARJORIE GUNN by Deed of Trust (the "Deed of Trust"), dated 3/19/2015 and of record in Deed Book --, Page(s) --, and/or as Instrument Number 15045501, in Register's Office of Shelby County, Tennessee, conveyed to Old Republic Title Insurance Company, Trustee, the hereinafter described real property to secure the payment of a certain Promissory Note (the "Note") described in the Deed of Trust, which Note was payable to New Day Financial, LLC, and subsequently assigned to Freedom Mortgage Corporation, and

WHEREAS, Nestor Solutions of Tennessee, LLC has been duly appointed Substitute Trustee by the owner and holder of the Note by instrument recorded in Deed Book, Page(s) and/or as Instrument Number 26003081 in Register's Office of Shelby County, Tennessee; and

WHEREAS, default has been made in the payment of the Note; and

WHEREAS, the owner and holder of the Note has demanded that the hereinafter described real property be advertised and sold in satisfaction of the indebtedness and costs of foreclosure in accordance with the terms and provisions of the Note and Deed of Trust. The notice requirements of T.C.A. §35-5-101 and 35-5-104 have been satisfied.

NOW, THEREFORE, notice is hereby given that an agent of Nestor Solutions of Tennessee, LLC, Substitute Trustee, pursuant to the power, duty, and authority vested in and conferred by the Deed of Trust, will proceed to sell the below-mentioned property on **10/15/2026, at 11:00 AM at the Auction.com Room at the Comfort Inn Downtown, 100 N. Front Street, Memphis, TN 38103**, to the highest call bidder for cash free from all legal, equitable and statutory rights of redemption, exemptions of homestead, rights by virtue of marriage, and all other exemptions of every kind, all of which have been waived in the Deed of Trust, certain real property located in Shelby County, Tennessee, described as follows:

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN SHELBY COUNTY, TENNESSEE, BEING MORE PARTICULARLY AS FOLLOWS:

PART OF LOT 60, PHASE I, HARBOR TOWN PLANNED DEVELOPMENT, AREA B AND PARTS OF AREAS A AND C, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 137, PAGE 99, IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF HARBOR BEND ROAD, SAID POINT BEING A COMMON CORNER OF LOTS 60 AND 61; THENCE SOUTHWARDLY ALONG SAID WEST LINE A DISTANCE OF 45.32 FEET TO A POINT; THENCE WESTWARDLY ALONG A LINE PARALLEL TO THE LINE DIVIDING LOTS 59 AND 60 A DISTANCE OF 75.0 FEET TO A POINT; THENCE NORTHWESTWARDLY A DISTANCE OF 31.32 FEET TO THE SOUTHEAST CORNER OF LOT 34; THENCE NORTHWARDLY ALONG THE LINE DIVIDING LOTS 34 AND 60 A DISTANCE OF 36.31 FEET TO THE SOUTHWEST CORNER OF LOT 61; THENCE EASTWARDLY ALONG THE LINE DIVIDING LOTS 60 AND 61 A DISTANCE OF 105.0 FEET TO THE POINT OF BEGINNING.

BEING THE SAME PROPERTY CONVEYED UNTO EARNEST L. GUNN AND WIFE, MARJORIE GUNN BY DEED FROM GREGORY A. LOWDERMILK AND WIFE, MARY CATHERINE LOWDERMILK, DATED 01/22/1999 AND RECORDED 02/19/1999 AT INSTRUMENT NUMBER JD4095, SHELBY COUNTY RECORDS.

The street address of the above-described property is believed to be **847 HARBOR BEND ROAD, MEMPHIS, TN 38103**, but if such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose. In addition, the following parties may claim an interest in the above-referenced property:

Owner of Property: EARNEST L. GUNN and MARJORIE GUNN

Harbor Town Community Association, Inc., a Tennessee non-profit corporation, Deed of Trust Book --, Page(s) -- and/or Instrument # 25089084

The sale is subject to occupant(s) rights in possession of the premises.

All right of equity of redemption, statutory and otherwise, and homestead are expressly waived in said Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as Substitute Trustee. The right is reserved to adjourn the day of the sale to another day, time, and place certain without further publication, upon announcement at the time and place for the sale set forth above.

If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the purchase price. The purchaser shall have no further record against the grantor, the grantee or the trustee.

NOTICE TO BIDDERS: Please be advised that the highest bidder ("purchaser") at this trustee's sale may be required to provide information, documentation and/or certification as mandated by applicable federal law, and entity and trust purchaser should be prepared to provide beneficial ownership information as required by federal reporting requirements effective for transfers of residential real property to covered transferees on or after March 1, 2026. If applicable, the required information must be provided to the trustee before a trustee's deed will be issued for covered transfers. Additional information regarding these regulations and the required transferee information and certifications can be found at <https://www.federalregister.gov/documents/2024/08/29/2024-19198/anti-money-laundering-regulations-for-residential-real-estate-transfers> and https://www.fincen.gov/rre-faqs#D_5.

Internet Posting Website: <https://tennesseepostings.com/>

Publication Dates: 9/18/2026 and 9/25/2026

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TS#: 2025-19994-TN